



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10**

1200 Sixth Avenue, Suite 900
Seattle, WA 98101-3140

OFFICE OF
ECOSYSTEMS, TRIBAL AND
PUBLIC AFFAIRS

July 9, 2012

ALCOM Public Affairs
9480 Pease Avenue, Suite 120
JBER, Alaska 99506

Re: EPA comments on the Draft Environmental Impact Statement for the Alaskan Command's Modernization and Enhancement of Ranges, Airspace, and Training Areas in the Joint Pacific Alaska Range Complex, EPA Project #10-066-DOD.

To Whom It May Concern:

Thank you for the opportunity to review the Draft Environmental Impact Statement for the Alaskan Command's (ALCOM) Modernization and Enhancement of Ranges, Airspace, and Training Areas in the Joint Pacific Alaska Range Complex, Alaska (CEQ # 20120090). We have reviewed the EIS in accordance with our responsibilities under National Environmental Policy Act and Section 309 of the Clean Air Act. Section 309 specifically directs the EPA to review and comment in writing on the environmental impacts associated with all major federal actions as well as the adequacy of the EIS in meeting procedural and public disclosure requirements of NEPA.

We appreciate ALCOM's effort to comprehensively evaluate all twelve actions (six projects and six programmatic actions) identified as appropriate for evaluation in the recently developed Joint Pacific Alaska Range Complex Master Plan. We believe this has added value to the consideration of cumulative impacts and provides for more complete disclosure of impacts for the decision maker as well as the public. However, we note that the complexity of multiple projects and actions without identification of preferred alternatives makes the review quite challenging.

Because preferred alternatives are not identified, and because the potential intensity of impacts varies greatly from alternative to alternative, we have rated the impacts associated each alternative individually. Please see the table below identifying our ratings and rating justification. Definitions of our ratings are attached.

Action	Rating	Justification
FOX 3 MOA Expansion and New Paxson Military Operating Area (MOA)	EO	Potentially serious impacts to noise receptors, land use, recreation and other socioeconomic resources, aviation and aviation safety; adverse impacts to air quality, biological resources, access, subsistence and environmental justice.
Realistic Live Ordnance Delivery	EO	Potentially serious impacts to noise receptors, land use, recreation and other socioeconomic resources, aviation and aviation safety.
Battle Area Complex Restricted Area	EC	Adverse impacts to aviation, noise receptors

Expand Restricted Area R-2205	EC	Potentially moderate impacts to noise, air and land use, hazardous waste, and multiple socioeconomic resources
Night Joint Training	LO	No or minimal adverse impacts to resources
Unmanned Aerial Vehicle Access	EC	Potentially serious impacts to airspace use and aviation safety
Enhanced Ground Maneuver Space	EO	Potentially serious impacts to aquatic, physical, and biological resources
Tanana Flats Training Area Roadway Access	EO	Potentially serious impacts to aquatic, physical, and biological resources
Joint Air-Ground Integration Complex	EC	Potentially serious impacts to physical and biological resources
Intermediate Staging Bases	EC	Potentially serious impacts to physical and biological resources
Missile Live Fire for AIM-9 and AIM-120 in the Gulf of Alaska	LO	No or minimal adverse impacts to resources
Joint Precision Airdrop System Drop Zones	EC	Potentially serious impacts to socioeconomic resources

We have given the EIS an overall adequacy rating of “2” (Insufficient Information). Generally our impacts (alpha) rating is based on our concerns regarding potential impacts to water quality and aquatic habitats, noise receptors, air quality, subsistence, and other socioeconomic factors, such as safety and other adverse impacts to the private aviation community. Our adequacy rating is based on the concerns we have with the criteria used for the “subsistence community” analysis, additional information needed for direct and cumulative impacts analysis, and lack of use of monitoring data from previous projects (e.g. 1997 Alaska MOA EIS) to help inform this EIS.

We recognize the need for the transition to different training activities to fully meet the training and testing requirements for forces and activities in and near Alaska. We also recognize, however, that an increase and expansion of military training activities and areas will result in additional impacts to surrounding communities, users, and resources. We offer the following recommendations to avoid, minimize and mitigate adverse impacts.

Potential Impacts

We recommend that ALCOM continue to work closely with potentially impacted stakeholders (general and commercial aviation owners and groups, tribal governments, land owners, subsistence and sport hunting groups and resource managers) to identify ways to further avoid, minimize, and mitigate adverse impacts, particularly in the resource areas of aviation safety and subsistence. We also specifically recommend that ALCOM work closely with our agency, as well as the Alaska Department of Conservation, to further minimize potential impacts to physical and biological resources from air emissions and noise, the generation of hazardous wastes, and discharges into waters of the U.S.

Discharges and Hazardous Wastes

We are particularly concerned about possible discharge of live munitions into aquatic environments. Depending on the constituents of the munitions, adverse and potentially lethal impacts, such as those

seen at Joint Base Elmendorf-Richardson Eagle River Flats, could occur. We recommend that for required live firing training, every effort be made to discharge munitions that do not contain white phosphorus or other constituents that could cause increased mortality in waterfowl similar to what was occurring at Eagle River Flats. Wastewater discharges associated with construction stormwater are included in the discussions of several proposed actions. There does not appear to be discussion of the discharge of munitions, which are also regulated under the National Pollutant Discharge Elimination System. This permit program is scheduled to be transferred from the EPA to the State of Alaska on October 31, 2012, as part of the Phase IV transfer of the Alaska Pollutant Discharge Elimination System. For more information about program transfer, please see the Alaska Pollutant Discharge Elimination System website at <http://dec.alaska.gov/water/APDES/phaseIVextension.html>.

We also recommend that the final EIS include, as applicable, a discussion of Spill Prevention, Control and Countermeasure Plans and Facility Response Plans, as required by the Clean Water Act and the Oil Pollution Act of 1990. Finally, we recommend that the final EIS provide detailed information regarding the anticipated types of hazardous wastes that will be generated as part of the proposed action, how the wastes will be managed, and the plans for disposal in accordance with federal, state and local requirements. The EPA regulates hazardous wastes under Subtitle C of the Resource Conservation and Recovery Act.

Subsistence

To address impacts to subsistence, we recommend further coordination with the Alaska Department of Fish and Game Subsistence Division and Board of Fisheries as well as Federal Subsistence Board to determine if additional measures (such as timing windows, higher minimum altitude) would substantially reduce the potential impacts identified in the EIS, particularly from FOX 3 MOA Expansion, New Paxson MOA and Realistic Live Ordnance Delivery proposed actions.

Aviation

To address the potentially serious impacts to aviation and aviation safety, we encourage you to continue working with commercial and general aviation groups as well as individual owners and operators, and the Airports Divisions within ADOT and FAA to determine if additional avoidance, minimization, or mitigation measures can further reduce impacts, particularly to aviation safety. As identified in the EIS, general and small commercial aviation are critical modes of transportation for communities in rural Alaska, including those identified in the project area. For residents in these communities and in more remote locations, effective communication regarding training activities is often difficult. If information regarding the occurrence and scheduling of such activities is not received by the private operators, or is not timely, safety can be seriously compromised. Therefore, we recommend that work be done to ensure the current effectiveness of the existing Special Use Airspace Information Service that is currently used to inform civilian pilots when MOA and restricted areas are activated. If this information is currently available it should be included in the final EIS. If it is not, we recommend that a study be undertaken to determine its effectiveness. If deficiencies are identified, we recommend that improvements be implemented, preferably before the signing of the Record of Decision.

Cumulative Effects

We recommend that coordination with the Federal Energy Regulatory Commission occur to ensure that the most current proposed activities associated with the Susitna-Watana Hydroelectric Project are considered in the cumulative impacts analysis in the final EIS.

Adequacy

To improve readability, we recommend a detailed table outlining alternatives for each proposed action and a detailed discussion regarding each alternative by resource. We recognize that such a table with “averaged” impacts is currently included in the Executive Summary, but it is important that the EIS present the “sharp contrast” between alternatives. While the narrative in the effects section does this to a certain extent, a detailed table would be helpful to readers to visually present the information.

We also expect that the final EIS will contain much greater detail regarding aspects such as the locations of facilities, access roads, numbers of aircraft, and estimated acres of impact, as well as discussion of the potential impacts associated with proposed structures and project activities. We are particularly interested in the quality, acreage and functions of waters of the U.S. that will be impacted by the discharge of dredged or fill material, and wastewater discharges. We request that for specific proposals where it is appropriate or feasible, a draft Clean Water Act 404(b)(1) analysis be drafted and included as an appendix to the final EIS. By including this analysis for project-specific EISs, permitting decisions under Section 404 can be coordinated with other agency decisions, including the consideration of whether the proposed discharge would represent the least environmentally damaging practicable alternative.

Currently the criteria being used for the subsistence community analysis appears to be based on an arbitrary racial composition, and it seems to discount the common practice of rural Alaskan residents to rely on subsistence resources. Other factors that contribute to this reliance are proximity to food stores and U.S. Post Offices. We recommend that these additional components be considered for the subsistence analysis in the final EIS. If the final EIS relies on the current criteria, we recommend that the document include a discussion of the basis for these criteria.

Mitigation and Monitoring

We appreciate the inclusion of Appendix K, Mitigations, Best Management Practices, and Standard Operating Procedures. We request that the final EIS include avoidance and mitigation measures (e.g. restrictions to avoid lambing, buffers along Wild and Scenic corridors) identified by the Bureau of Land Management, Alaska Department of Fish and Game, and other agencies responsible for the protection and conservation of public resources in previous and more recent correspondence in response to scoping and review of the draft EIS.

We also recommend that additional information be included in the final EIS to clearly distinguish between those mitigation measures that ALCOM has the authority to implement, and those which it cannot and thus, would require the involvement of other agencies to execute them. We believe this information would be consistent with CEQ’s Guidance, *Appropriate Use of Mitigation and Monitoring and Appropriate Use of Findings of No Significant Impact*, issued in January 2011 (http://ceq.hss.doe.gov/current_developments/docs/Mitigation_and_Monitoring_Guidance_14Jan2011.pdf). Finally, and also in line with the mitigation guidance, we recommend that a draft adaptive management plan be identified and included in the final EIS to monitor and ensure the success of future mitigation efforts.

Again, we appreciate the opportunity to offer comments on the draft EIS and look forward to working with ALCOM on addressing the issues we have identified for the Final EIS. Please contact me at (206) 553-1601 or by electronic mail at reichgott.christine@epa.gov, or Jennifer Curtis of my staff in Anchorage at (907) 271-6324 or curtis.jennifer@epa.gov, with any questions you have regarding our comments.

Sincerely,

A handwritten signature in blue ink that reads "Christine B. Reichgott". The signature is fluid and cursive, with the first name "Christine" being more prominent.

Christine B. Reichgott, Manager
Environmental Review and Sediments Management Unit

Enclosure

**U.S. Environmental Protection Agency Rating System for
Draft Environmental Impact Statements
Definitions and Follow-Up Action***

Environmental Impact of the Action

LO – Lack of Objections

The U.S. Environmental Protection Agency (EPA) review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

EC – Environmental Concerns

EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce these impacts.

EO – Environmental Objections

EPA review has identified significant environmental impacts that should be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no-action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

EU – Environmentally Unsatisfactory

EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potential unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the Council on Environmental Quality (CEQ).

Adequacy of the Impact Statement

Category 1 – Adequate

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis of data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

Category 2 – Insufficient Information

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses or discussion should be included in the final EIS.

Category 3 – Inadequate

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the National Environmental Policy Act and or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

* From EPA Manual 1640 Policy and Procedures for the Review of Federal Actions Impacting the Environment. February, 1987.